



Attorney Docket No. 56692 (70904)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: H. Tadano et al.

EXAMINER: A.M. Psitos

U.S.S.N.: 09/994,024

GROUP: 2653

FILED: November 14, 2001

FOR: ABERRATION DETECTION DEVICE, ABERRATION DETECTION
METHOD, AND OPTICAL PICK-UP DEVICE FOR CONTROLLING
SPHERICAL ABERRATION (as amended)

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as
Express Mail, Airbill No. EV754861736US, in an envelope addressed to: MS AF, Commissioner
for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 6, 2005

Signature: *Laure Brown*
(Laure Brown)

.....
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION; 37 C.F.R. § 1.321(c)

I, Peter J. Manus, represent that I am an attorney of record for this patent
application.

The assignee, Sharp Kabushiki Kaisha, owns the entire right, title and interest in
United States Patent Application No. 09/994,024 by assignment recorded on
November 14, 2001 at Reel 012334, Frame 0615.

Petitioner hereby disclaims, except as provided below, the terminal part of any
patent granted on the instant application, which would extend beyond the expiration
date of U.S. Patents Nos. 6,498,330 and 6,822,209 as presently shortened by any
terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant
application shall be enforceable only for and during such period that it and the
above-listed patents are commonly owned. This agreement runs with any patent
granted on the instant application and is binding upon the grantee, its successors, or

assigns.


In making the above disclaimer, disclaimant does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. Sections 154 to 156 and 173 of the patents forming the basis of the double patenting rejection, namely, U.S. Patent No. 6,498,330 and 6,822,209, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. Section 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

In accordance with 37 C.F.R. §1.321 (b)(4), 1.20(d), authorization to charge Deposit Account No. 04-1105 for \$130.00, the required filing fee, is hereby granted.

Respectfully submitted,
EDWARDS ANGELL PALMER & DODGE

Date: December 6, 2005

By:


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